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7 **UNITED STATES DISTRICT COURT**

8 **DISTRICT OF NEVADA**

9 UNITED STATES OF AMERICA,

CASE NO.: 2:19-cr-00154-RFB-VCF-3

10 Plaintiff,

11 vs.

13 RONALD SMITH, M.D.,

14 Defendant.

15 **STIPULATION AND ORDER TO CONTINUE SENTENCING (SECOND REQUEST)**

16 **IT IS HEREBY STIPULATED** by and between Defendant, Ronald Smith, by and
17 through his counsel, Paola M. Armeni, Esq., and Gia N. Marina, Esq., of the law firm of Clark Hill
18 PLLC and the Plaintiff, United States of America, by and through Jason Frierson, United States
19 Attorney, and Jacob Operkalski, Esq. and Peter S. Levitt, Esq., Assistant United States Attorneys,
20 that the sentencing hearing currently scheduled for October 18, 2022, at 9:00 a.m. be vacated and
21 set to a date and time convenient to the Court but not earlier than forty-five (45) days.

22 This Stipulation is entered into for the following reasons:

23 1. Sentencing in this matter is currently scheduled for October 18, 2022 at 9:00 a.m.
24 2. Defense counsel needs additional time to investigate issues relevant to sentencing and
25 prepare for sentencing.
26 3. Mr. Smith has appeared in this case, and is not in custody and, along with the government,
27 agrees to this continuance.

4. The additional time requested herein is not sought for purposes of delay and the denial of this request for a continuance could result in a miscarriage of justice.

5. Federal Rule of Criminal Procedure 32(b)(2) permits this Court to continue a sentencing hearing for good cause. Good cause exists in this case.

6. For all the above-stated reasons, the ends of justice would be best served by the continuance of the sentencing hearing.

7. This is the second request for a continuance of the sentencing hearing.

JASON FRIERSON
UNITED STATES ATTORNEY
DISTRICT OF NEVADA

CLARK HILL PLLC

DATED this 10th day of October, 2022.

DATED this 7th day of October, 2022.

/s/ Jacob Operskalski
JACOB OPERSKALSKI, ESQ
PETER S. LEVITT, ESQ.
Assistant United States Attorney
Attorneys for Plaintiff,
UNITED STATES OF AMERICA

/s/ Paola M. Armeni
PAOLA M. ARMENI
GIA N. MARINA
Attorneys for Defendant,
Ronald Smith

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

CASE NO. 2:19-cr-00154-RFB-VCF-3

Plaintiff,

VS.

RONALD SMITH,

Defendant.

FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court hereby finds that:

CONCLUSIONS OF LAW

Based on the fact that counsel has agreed to a continuance, the Court hereby concludes
that:

15 1. Sentencing in this matter is currently scheduled for October 18, 2022 at 9:00 a.m.

16 2. Defense counsel needs additional time to investigate issues relevant to sentencing and

17 prepare for sentencing.

18 3. Mr. Smith has appeared in this case, and is not in custody and, along with the government,

19 agrees to this continuance.

20 4. The additional time requested herein is not sought for purposes of delay and the denial of

21 this request for a continuance could result in a miscarriage of justice.

22 5. Federal Rule of Criminal Procedure 32(b)(2) permits this Court to continue a sentencing

23 hearing for good cause. Good cause exists in this case.

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6. For all the above-stated reasons, the ends of justice would be best served by the continuance of the sentencing hearing.

3 7. This is the second request for a continuance of the sentencing hearing.

ORDER

IT IS HEREBY ORDERED that the sentencing hearing in this matter scheduled for October 18, 2022, at the hour of 9:00 a.m. is hereby vacated and continued to the _____ day of December 15, 2022, at the hour of 10:00 a.m., in Courtroom 7C.

DATED this 11th day of October , 2022.

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**RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE**